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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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11 SAN JOSE FRUIT BARS, INC. and)
EMPLOYERS MUTUAL CASUALTY) **Case No. 5:13-cv-00138-PSG**
12 COMPANY,)
13 Plaintiffs,) **JOINT ADMINISTRATIVE MOTION**
14 vs.) **TO CONSIDER WHETHER CASES**
15 GENERAL ELECTRIC COMPANY,) **ARE RELATED; STIPULATION; and**
16 Defendant.) **[~~PROPOSED~~] ORDER**
17 _____)

18 Pursuant to Northern District of California Local Rules 3-12 and 7-11 and the
19 stipulation filed currently herewith, the parties hereby jointly move the Court to consider
20 whether this action is related to and should be consolidated with two other actions recently
21 removed to the Northern District of California. Those two actions are *Transportation Insurance*
22 *Company v. General Electric Company*, No. 5:13-cv-00691-PSG, and *Golden Eagle Insurance*
23 *v. General Electric Company*, No. 5:13-cv-00692-PSG. These cases were consolidated in state
24 court with plaintiffs' action herein, prior to the removal of each of these actions to this Court.
25 All of these actions arise from an October 8, 2011 fire at a commercial building located in San
26 Jose. Each plaintiff has sued General Electric Company ("GE"), alleging that a GE product
27 caused the October 8, 2011 fire.

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1 All three actions are currently pending before the Honorable Paul S. Grewal,
2 United States Magistrate Judge. Further consolidation of these three actions for discovery, pre-
3 trial procedure, and trial will avoid unduly burdensome duplication of labor and expenses and
4 potentially conflicting results if the cases were to proceed separately.

5 The parties in this action have obtained consent to consolidate these actions from
6 plaintiffs' counsel in *Transportation Insurance Company v. General Electric Company* and
7 *Golden Eagle Insurance v. General Electric Company*.

8 Respectfully submitted,

9 Dated: February 28, 2013

10 GLYNN & FINLEY, LLP
11 JAMES M. HANLON JR.
LAUREN E. WOOD

12 /s/ Lauren E. Wood
13 Attorneys for Defendant
GENERAL ELECTRIC COMPANY

14
15 Dated: February 28, 2013

16 GIBSON ROBB & LINDH LLP
JOSHUA E. KIRSCH

17 /s/ Joshua E. Kirsch
18 Attorneys for Plaintiffs
19 SAN JOSE FRUIT BARS, INC. and
20 EMPLOYERS MUTUAL CASUALTY
COMPANY

1 **STIPULATION IN SUPPORT OF JOINT ADMINISTRATIVE MOTION**
2 **TO CONSIDER WHETHER CASES ARE RELATED**

3 WHEREAS, the following actions pending before the Hon. Paul S. Grewal
4 concern substantially the same parties, occurrence, or event:

- 5 • *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v.*
6 *General Electric Company*, No. 5:13-cv-00138-PSG
- 7 • *Transportation Insurance Company v. General Electric Company*, No. 5:13-
8 cv-00691-PSG
- 9 • *Golden Eagle Insurance v. General Electric Company*, No. 5:13-cv-00692-
10 PSG

11 WHEREAS, consolidation of these actions for discovery, pre-trial procedure, and
12 trial will avoid unduly burdensome duplication of labor and expenses and potentially conflicting
13 results if the cases were to proceed separately,

14 Therefore, the undersigned parties, by and through their counsel stipulate as follows:

- 15 (1) The actions *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v.*
16 *General Electric Company*, No. 5:13-cv-00138-PSG; *Transportation Insurance*
17 *Company v. General Electric Company*, No. 5:13-cv-00691-PSG; and *Golden Eagle*
18 *Insurance v. General Electric Company*, No. 5:13-cv-00692-PSG are related cases as
19 defined by Northern District of California Local Rule 3-12(a);
- 20 (2) The actions *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v.*
21 *General Electric Company*, No. 5:13-cv-00138-PSG; *Transportation Insurance*
22 *Company v. General Electric Company*, No. 5:13-cv-00691-PSG; and *Golden Eagle*
23 *Insurance v. General Electric Company*, No. 5:13-cv-00692-PSG shall be
24 consolidated for all proceedings leading up to and through trial;
- 25 (3) The first filed action *San Jose Fruit Bars, Inc. and Employers Mutual Casualty*
26 *Company v. General Electric Company*, No. 5:13-cv-00138-PSG shall be designated
27 as the lead case in the consolidated action.

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1 SO STIPULATED:

2 Dated: February 28, 2013

GLYNN & FINLEY, LLP
JAMES M. HANLON JR.
LAUREN E. WOOD

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/s/ Lauren E. Wood
Attorneys for Defendant
GENERAL ELECTRIC COMPANY in
Case Nos. 5:13-cv-00138-PSG, -00691-
PSG, and -00692-PSG

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8 Dated: February 28, 2013

GIBSON ROBB & LINDH LLP
JOSHUA E. KIRSCH

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/s/ Joshua E. Kirsch
Attorneys for Plaintiffs
SAN JOSE FRUIT BARS, INC. and
EMPLOYERS MUTUAL CASUALTY
COMPANY in Case No. 5:13-cv-00138-
PSG

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15 Dated: February 28, 2013

LAW OFFICES OF KATCHIS, HARRIS
& YEMPUKU
ROBERT B. JAVAN

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/s/ Robert B. Javan
Attorneys for Plaintiff
GOLDEN EAGLE INSURANCE in Case
No. 5:13-cv-00692-PSG

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21 Dated: February 28, 2013

LAW OFFICES OF JEFFREY F. PACCASSI
RICHARD A. LEVINE

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/s/ Richard A. Levine
Attorneys for Plaintiff
TRANSPORTATION INSURANCE
COMPANY in Case No. 5:13-cv-00691-
PSG

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27 Lauren E. Wood attests that concurrence in the filing of this document has been
28 obtained from each of the other signatories identified herein.

[PROPOSED] ORDER

Pursuant to stipulation, it is hereby ordered that the actions *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v. General Electric Company*, No. 5:13-cv-00138-PSG; *Transportation Insurance Company v. General Electric Company*, No. 5:13-cv-00691-PSG; and *Golden Eagle Insurance v. General Electric Company*, No. 5:13-cv-00692-PSG are related cases as defined by Northern District of California Local Rule 3-12(a) and are hereby consolidated for all proceedings leading up to and through trial.

The first filed action *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v. General Electric Company*, No. 5:13-cv-00138-PSG shall be designated as the lead case in the consolidated action.

IT IS SO ORDERED.

Dated: March 5, 2013


Hon. Paul S. Grewal
UNITED STATES MAGISTRATE JUDGE